07-625

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PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

United States District Court	District	
Name (under which you were convicted): TYRONE G	UINN	Docket or Case No.:
Place of Confinement: DELAWARE CORRECTION (CENTER 118) PAGGOCK Rd. SMYRN	CTIONAL A DE.	Prisoner No.: 375731
Petitioner (include the name under which you were convicted)	Respondent	(authorized person having custody of petitioner)
The Attorney General of the State of	WARE	

PETITION

uperi	FOR COURT OF TA	he State	of Delaware, New Castle county	Cour
	,		10400 Wilm, Del. 1980/-10400	
	inal docket or case numbe		'A-'	**
a) Date	of the judgment of convict	tion (if you kn	ow):	40
b) Date	of sentencing:	7/	1/05	`.*A
ength o	f sentence: 3* year	rs Lev	els, 1 years 4th, 2th years Level 3	*
	,		ne count or of more than one crime? Yes O No Yo	
dentify	all crimes of which you w	ere convicted :	and sentenced in this case: In ASS auch to	
	•		and sentenced in this case: The ASS auch In	
	•		and sentenced in this case: In ASS auch In Boclity Fluich.	
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)eta	•	with	- / · · · · · · · · · · · · · · · · · ·	
Deta	ntion cente	with	- / · · · · · · · · · · · · · · · · · ·	
)eta a) What	was your plea? (Check or	ne)	h Bodity Fluid,	
a) What (1) (2)	was your plea? (Check or Not guilty Guilty	ne) (3) (4)	Nolo contendere (no contest)	
a) What (1) (2) b) If you	was your plea? (Check or Not guilty Guilty centered a guilty plea to c	ne) (3) (4) one count or ch	Nolo contendere (no contest) Insanity plea marge and a not guilty plea to another count or	
a) What (1) (2) b) If you	was your plea? (Check or Not guilty Guilty centered a guilty plea to c	ne) (3) (4) one count or ch	Nolo contendere (no contest)	

(c) If you went to trial, what kind of trial did you have? (Check one) Jury Judge only Judge only Judge only Judge only
Did you testify at a pretrial hearing, trial, or a post-trial hearing? Yes No
Did you appeal from the judgment of conviction? Yes 2 No
If you did appeal, answer the following:
(a) Name of court: Supreme Court of Delaware
(b) Docket or case number (if you know): 3/3, 2005
(c) Result: Affirmed
(d) Date of result (if you know): Feb. 28 2006
(e) Citation to the case (if you know): monroe V. State 652 A 201 560, 563 IL
(f) Grounds raised: Trigh court erred as a matter of Law Whe
It Denied Mymotion For Jugament of Acquittal, be
The State Failed to Present Sufficient evidence
The State Failed to Present Sufficient evidence
The State Failed to Present Sufficient evidence I intent to Struck officer Shannon with Bookily Fluid
The State Failed to Present Sufficient evidence I intent to Struck officer Shannon with Bookily Fluid (g) Did you seek further review by a higher state court? Yes \(\sigma\) No \(\sigma\)
The State Failed to Present Sufficient evidence I intent to Struck officer Shannon with Bookily Fluid
 The State Failed to Present Sufficient evidence I intent to Struck officer Shannon with Bookily Fluid (g) Did you seek further review by a higher state court? Yes \(\sigma\) No \(\sigma\)
 The State Failed to Present Sufficient evidence I intent to Struck of Ficer Shannon with Booking Fivial (g) Did you seek further review by a higher state court? Yes \(\sigma\) No \(\sigma\) If yes, answer the following:
The State Failed to Present Sufficient evidence I intent to Struck of Ficer Shannon with Booking Fluid (g) Did you seek further review by a higher state court? Yes \(\text{No}\) No \(\text{I}\) If yes, answer the following: (1) Name of court:
 The State Fa, led to Present Sufficient evidence I intent to Struck of Ficer Shannon with Booking Five (g) Did you seek further review by a higher state court? Yes \(\text{No}\) No \(\text{If yes, answer the following:}\) (1) Name of court: (2) Docket or case number (if you know):
The State Fa, led to Present Sufficient evidence I intent to Struck of Ficer Shannon with Booking Five (g) Did you seek further review by a higher state court? Yes \(\text{No}\) No \(\text{If yes, answer the following:}\) (1) Name of court: (2) Docket or case number (if you know):
The State Fa, Led to Present Sufficient Evidance I intent to Struck of Ficer Shannon With Bookity Fivia (g) Did you seek further review by a higher state court? Yes \(\text{No}\) No \(\text{If yes, answer the following:} (1) Name of court: (2) Docket or case number (if you know): (3) Result:
The state Fo, led to Present Sufficient evidence I intent to Struck of Ficer Shannon with Booking Fivil (g) Did you seek further review by a higher state court? Yes \(\text{No}\) No \(\text{No}\) If yes, answer the following: (1) Name of court: (2) Docket or case number (if you know): (3) Result: (4) Date of result (if you know):
The state fa, led to Present Sufficient evidance of Intent to Struck of Ficer Shannon with Booking five a life yes, answer the following: (1) Name of court: (2) Docket or case number (if you know): (3) Result: (4) Date of result (if you know): (5) Citation to the case (if you know):
The state fa, led to Present Sufficient evidance of Intent to Struck of Ficer Shannon with Booking five a life yes, answer the following: (1) Name of court: (2) Docket or case number (if you know): (3) Result: (4) Date of result (if you know): (5) Citation to the case (if you know):
The state fa, led to Present Sufficient evidance of Intent to Struck of Ficer Shannon with Booking five a life yes, answer the following: (1) Name of court: (2) Docket or case number (if you know): (3) Result: (4) Date of result (if you know): (5) Citation to the case (if you know):
The state fa, led to Present Sufficient evidance of Intent to Struck of Ficer Shannon with Booking five a life yes, answer the following: (1) Name of court: (2) Docket or case number (if you know): (3) Result: (4) Date of result (if you know): (5) Citation to the case (if you know):
The state Fa, led to Dresent'S ufficient evidence of Intent to Struck of Ficer Shannon with Bookily Fivilation (g) Did you seek further review by a higher state court? Yes \(\text{No} \) No \(\text{If yes, answer the following:} \) (1) Name of court: (2) Docket or case number (if you know): (3) Result: (4) Date of result (if you know): (5) Citation to the case (if you know): (6) Grounds raised:

(2) Result: Return Denied Without Farther	
(2) Result: <u>Return Denied Without tarther</u>	
(3) Date of result (if you know): March, 16, 2006	
(4) Citation to the case (if you know): Mon Roe V, State 652. A.2d 560, 56.	Š
10. Other than the direct appeals listed above, have you previously filed any other petitions, (DE. 1995)).
applications, or motions concerning this judgment of conviction in any state court? Yes No □	
11. If your answer to Question 10 was "Yes," give the following information:	
(a) (1) Name of court: Superior court of Delawgre	
(2) Docket or case number (if you know): 04 1/0/3992	
(3) Date of filing (if you know): Apr. 1. 25. 2006	
(4) Nature of the proceeding: Post convection Relief	
(5) Grounds raised: "ineffective assistance of Counsel,	
2) I rial lourt errored as a matter of Law,	
3.) Illegal Sentance of Probation.	
U	
(6) Did you receive a hearing where evidence was given on your petition, application, or	
motion? Yes \(\sigma\) No	
(7) Result: Denied	
(8) Date of result (if you know): May 25, 2006,	
(b) If you filed any second petition, application, or motion, give the same information:	
(1) Name of court: Superior Court of Delaware	
(2) Docket or case number (if you know): 041101 (3992	
(3) Date of filing (if you know): June 12, 2006	
(4) Nature of the proceeding: Post Convection Relief	
(5) Grounds raised: Ineffective Assistance of Counsel	
Trial Court errors.	

(6) Did you receive a b	nearing where evidence was given on your petition, application, or
	No M
(7) Result:	Denied
(8) Date of result (if yo	ou know): AUG, 16, 2006,
	etition, application, or motion, give the same information:
	Superior Court
	aber (if you know): # 04110/3992
(3) Date of filing (if you	- 1 . d. 1
(4) Nature of the proce	
(5) Grounds raised:	1.) Ineffective Assistance of Cou
	2.) Ineffective Assistance of Con
	3) Ineffective Assistance of Cours
	4) Ineffective Assistance of Course
	THE TAIL OF THE PARTY OF THE CONTROL
	earing where evidence was given on your petition, application, or
(6) Did you receive a he motion? Yes	1
	no la noise d'accompany
motion? Yes	no la noise d'accompany
motion? Yes (7) Result: (8) Date of result (if you	nied nied
motion? Yes (7) Result: (8) Date of result (if you Did you appeal to the hi	u know):
motion? Yes (7) Result: (8) Date of result (if you Did you appeal to the hition, application, or mo	u know):
motion? Yes (7) Result: (8) Date of result (if you Did you appeal to the hition, application, or mo	u know):
motion? Yes (7) Result: (8) Date of result (if you Did you appeal to the hition, application, or mo (1) First petition: (2) Second petition:	u know):
motion? Yes (7) Result: (8) Date of result (if you Did you appeal to the hition, application, or motion. (1) First petition: (2) Second petition: (3) Third petition:	u know):
motion? Yes (7) Result: De (8) Date of result (if you Did you appeal to the hition, application, or mo (1) First petition: (2) Second petition: (3) Third petition:	u know):
motion? Yes (7) Result: (8) Date of result (if you Did you appeal to the hition, application, or motion. (1) First petition: (2) Second petition: (3) Third petition:	u know):
motion? Yes (7) Result: De (8) Date of result (if you did you appeal to the hitton, application, or motion. (1) First petition: (2) Second petition: (3) Third petition: f you did not appeal to	u know):

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12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the <u>facts</u> supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court.

Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE: TRIAL Court errors,	
(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): It is Court erred as a Matter of Law When It Depice Guinns Motion for Jugement of The State Failed To Present Sufficient el That Guinn intent to Struck officer Shannon Bodily Fluid.	Acquittals Vidance
(b) If you did not exhaust your state remedies on Ground One, explain why:	. •
(c) Direct Appeal of Ground One: (1) If you appealed from the judgment of conviction, did you raise this issue?	
Yes No O (2) If you did not raise this issue in your direct appeal, explain why:	
(d) Post-Conviction Proceedings:	
(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? Yes No V	
(2) If your answer to Question (d)(1) is "Yes," state: Type of motion or petition:	*
Name and location of the court where the motion or petition was filed:	

Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
-	
(3) Did you receive a hearing on your motion or petition?	
Yes 🗅 No 🗅	
(4) Did you appeal from the denial of your motion or petition?	
Yes 🔾 No 🔾	
(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appearance.	eal?
Yes 🔾 No 🔾	
(6) If your answer to Question (d)(4) is "Yes," state:	
Name and location of the court where the appeal was filed:	
and the second s	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you issue: The Claim has Book Faich Presented	
(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you issue: The Claim has Been Fairly Presented Submitted to The Stark Trial Court and other The Legal Theory, and The Facts That are "Sub To This Asserted in the Current Federal had go Other Remedies: Describe any other procedures (such as habeas corpus, admin temedies, etc.) that you have used to exhaust your state remedies on Ground One: If Delaware Re-hearin on Bench (see Page Montion For Tugement of ACqui Hal" Befor GROUND TWO: INFFECTive Assistance of Covered Control of Covered	The Petitioner ham or higher Courts Both estantially equivalent beas Petition. istrative Supreme Court 3. and Exhibit The State Trial court

(A)i) (C)(ii) (A)(B)(iii), (d)(iii) of the Del. Supr. ct	R.26
(b) If you did not exhaust your state remedies on Ground Two, explain why:	
(c) Direct Appeal of Ground Two:	
(1) If you appealed from the judgment of conviction, did you raise this issue? Yes \(\text{No } \text{No } \text{E} \) (2) If you did not raise this issue in your direct appeal, explain why: \(\frac{\text{I Raised it a}}{\text{Error For PostConvection Relief, For For First Time.} \)	more in the
(d) Post-Conviction Proceedings: (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a	
state trial court? Yes No	
(2) If your answer to Question (d)(1) is "Yes," state: Type of motion or petition: Post - Conviction Motion For Relieve Mame and location of the court where the motion or petition was filed: Superior Court King St, Suite 500 Wilm, DE 1980-3746 020310 Docket or case number (if you know): 0411013492 Date of the court's decision: April 17 2006. Result (attach a copy of the court's opinion or order, if available): Denied as under Superior Court Crimal R. Col(i)(2) Will'14).	
(3) Did you receive a hearing on your motion or petition? Yes I No I (4) Did you appeal from the denial of your motion or petition? Yes I No I (5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? Yes I No I (6) If your answer to Question (d)(4) is "Yes," state: Name and location of the court where the appeal was filed: Name and location of the Court where the appeal was filed: Name and location of the Court where the appeal was filed: No I I N	-

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	Docket or case number (if you know): 228, 2007
	Date of the court's decision: 9 /21/2007
	Result (attach a copy of the court's opinion or order, if available):
	see EXh. bit E#
	(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:
(e)	Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two:
	Filed a motion For a 1 Cew Trial Pursuant to & Superi Court Crim. R., Rule 33
	Super. Court Crim. K., Rule 33
GF	ROUND THREE:
(a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):
_	
(b)	If you did not exhaust your state remedies on Ground Three, explain why:
	Direct Association of Community and Communit
(c)	Direct Appeal of Ground Three: (1) If you appealed from the judgment of conviction, did you raise this issue?
	Yes 🗆 No 🗅
,	(2) If you did not raise this issue in your direct appeal, explain why:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in state trial court? Yes No (2) If your answer to Question (d)(1) is "Yes," state: Type of motion or petition: Name and location of the court where the motion or petition was filed:	
(2) If your answer to Question (d)(1) is "Yes," state: Type of motion or petition: Name and location of the court where the motion or petition was filed:	а
Type of motion or petition:	
Name and location of the court where the motion or petition was filed:	
D. 1. (12. 1)	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
(3) Did you receive a hearing on your motion or petition?	
. Yes 🔾 No 🗅	
(4) Did you appeal from the denial of your motion or petition?	
Yes 🔾 No 🗅	
(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?	
Yes \square No \square	
(6) If your answer to Question (d)(4) is "Yes," state:	
Name and location of the court where the appeal was filed:	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise	this
issue:	_
(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative	
remedies, etc.) that you have used to exhaust your state remedies on Ground Three:	

	Page 11
GROUND FOUR:	
(a) Supporting facts (Do not argue or cite law. Just state the specific fa	acts that support your claim.):
(b) If you did not exhaust your state remedies on Ground Four, explain	why:
	
(c) Direct Appeal of Ground Four:	
(1) If you appealed from the judgment of conviction, did you raise the Yes □ No □	nis issue?
(2) If you did not raise this issue in your direct appeal, explain why	:
(d) Post-Conviction Proceedings:	
(1) Did you raise this issue through a post-conviction motion or pet	ition for habeas corpus in a
state trial court? Yes \(\sigma \) No \(\sigma \)	
(2) If your answer to Question (d)(1) is "Yes," state:	
Type of motion or petition: Name and location of the court where the motion or petition was fil	ed:
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
(3) Did you receive a hearing on your motion or petition?	<u> </u>
Yes \(\sigma\) No \(\sigma\)	
(4) Did you appeal from the denial of your motion or petition?	
Yes 🗆 No 🗅	

Page 12

Doc Date Rest	If your answer to Question (d)(4) is "Yes," state: ne and location of the court where the appeal was filed: ket or case number (if you know): e of the court's decision: ult (attach a copy of the court's opinion or order, if available):
Doc Date Rese	ket or case number (if you know);e of the court's decision:e ult (attach a copy of the court's opinion or order, if available):
Date Res	ket or case number (if you know):e of the court's decision:e of the court's decision:e of the court's opinion or order, if available):e
(7) I	ult (attach a copy of the court's opinion or order, if available):
(7) I	ult (attach a copy of the court's opinion or order, if available):
	M
	f your answer to Question (d)(4) or Question (d)(5) is "No." explain why you did not raise t
Oth	er Remedies: Describe any other procedures (such as habeas corpus, administrative
rem	edies, etc.) that you have used to exhaust your state remedies on Ground Four:
Plea	se answer these additional questions about the petition you are filing:
	Have all grounds for relief that you have raised in this petition been presented to the high
	state court having jurisdiction? Yes \(\sigma\) No \(\sigma\)
	f your answer is "No," state which grounds have not been so presented and give your
	reason(s) for not presenting them:
(b) I	s there any ground in this petition that has not been presented in some state or federal
	ourt? If so, which ground or grounds have not been presented, and state your reasons for
	not presenting them:
Have	you previously filed any type of petition, application, or motion in a federal court regardi

	application, or motion filed. Attach a copy of any court opinion or order, if available.	
	· · · · · · · · · · · · · · · · · · ·	
	Do you have any petition or appeal now pending (filed and not decided yet) in any court, either	
	state or federal, for the judgment you are challenging? Yes \(\sigma \) No \(\sigma \)	
	If "Yes," state the name and location of the court, the docket or case number, the type of	
	proceeding, and the issues raised	
1	Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging: (a) At preliminary hearing:	
	(b) At arraignment and plea: MS, Nicoke M. WAIKER, Public Deleterice CARVEL STATE OFFICE Building 830, N. French (c) At trial: MS, Nicoke WAIKER, SAME.	Fexio 10 K
	(d) At sentencing:	
((e) On appeal: 11'COLE WALKER, SAME,	
	(f) In any post-conviction proceeding:	
(

	(a) If so, give name and location of court that imposed the other sentence you will serve in the future: New CASTLE COUNTY COURT HOUSE, 500 M. A. St., Suite 500 Wilm. DE 19801-3746	Kine G
	(b) Give the date the other sentence was imposed:	
	(c) Give the length of the other sentence: (2*) YEAR LEVEL 2*	
	(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? Yes \(\mathbb{\text{No}}\) No	
1Ω	TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you	
LO,	must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not	
	bar your petition.*	
	<u> </u>	
		

(continued...)

^{*} The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

⁽¹⁾ A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of ---

	Page 18
Therefore, petitioner asks that the Court grand NCQU, HAL UPON	ground (1") 27 hat Is Cu
	ED BEFOR This voury,
or any other relief to which petitioner may be	e entitled.
	Signature of Attorney (if any)
I declare (or certify, verify, or state) under pe	enalty of perjury that the foregoing is true and correct
and that this Petition for Writ of Habeas Cor	pus was placed in the prison mailing system on
(month, date,	, year).
, , ,	
_ / /03	y _
Executed (signed) on	/_ (date).
/ /	
·	
	LURONAE CLUININI
	Signature of Politioner
	/ Digitatare at 1 dimoner

^{*(...}continued)

⁽A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;

⁽B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;

⁽C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or

⁽D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

⁽²⁾ The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

	rage r
not petitioner, state relationship to petitioner and explain.	n why petitioner is
 <u> </u>	
IN FORMA PAUPERIS DECLARATION	
[Insert appropriate court]	

AO 240 (Rev. 10/03) DELAWARE (Rev. 4/05)

UNITED STATES DISTRICT COURT DISTRICT OF DELAWARE

28 US	Plaintiff V. State of Delaware Defendant(s) Petitioner Plaintiff/Movant Other Above-entitled proceeding; that in support of my request of the complaint/petition/motion.	declare that I am the (che	AYMENT OF FFIDAVIT Let appropriate box) Hent of fees or costs under
In supp	Are you currently incarcerated? If "YES" state the place of your incarceration Inmate Identification Number (Required): Are you employed at the institution? Attach a ledger sheet from the institution of your incar	No (If "No" go to Que WARE CORRECTS LOCK R.J. SHURN 73 eive any payment from the	institution?
2.	Are you currently employed? Yes a. If the answer is "YES" state the amount of your and give the name and address of your employ b. If the answer is "NO" state the date of your last salary or wages and pay period and the name are	r take-home salary or wages er.	s and pay period a f your take-home
3.	In the past 12 twelve months have you received any months. a. Business, profession or other self-employment. b. Rent payments, interest or dividends. c. Pensions, annuities or life insurance payments. d. Disability or workers compensation payments. e. Gifts or inheritances. f. Any other sources.	• Yes	• No

If the answer to any of the above is "YES" describe each source of money and state the amount received AND what you expect you will continue to receive.

4. Do you have any cash or checking or savings accounts?

•• Yes V•No

If "Yes" state the total amount \$

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property?

· Yes VN

If "Yes" describe the property and state its value.

N/A

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support, OR state NONE if applicable.

N/A

I declare under penalty of perjury that the above information is true and correct.

DATE 2007

SIGNATURE OF APPLICANT

NOTE TO PRISONER: A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

Page 1

Petition for Relief From a Conviction or Sentence By a Person in State Custody

(Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus)

Instructions

- 1. To use this form, you must be a person who is currently serving a sentence under a judgment against you in a state court. You are asking for relief from the conviction or the sentence. This form is your petition for relief.
- You may also use this form to challenge a state judgment that imposed a sentence to be served in the future, but you must fill in the name of the state where the judgment was entered. If you want to challenge a federal judgment that imposed a sentence to be served in the future, you should file a motion under 28 U.S.C. § 2255 in the federal court that entered the judgment.
- 3. Make sure the form is typed or neatly written.
- 4. You must tell the truth and sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
- 5. Answer all the questions. You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit a brief or arguments, you must submit them in a separate memorandum.
- 6. You must pay a fee of \$5. If the fee is paid, your petition will be filed. If you cannot pay the fee, you may ask to proceed in forma pauperis (as a poor person). To do that, you must fill out the last page of this form. Also, you must submit a certificate signed by an officer at the institution where you are confined showing the amount of money that the institution is holding for you. If your account exceeds \$ _____, you must pay the filing fee.
- 7. In this petition, you may challenge the judgment entered by only one court. If you want to challenge a judgment entered by a different court (either in the same state or in different states), you must file a separate petition.
- 8. When you have completed the form, send the original and two copies to the Clerk of the United States District Court at this address:

Clerk, United States District Court for New Castle County Address City, State Zip Code

- 9. CAUTION: You must include in this petition all the grounds for relief from the conviction or sentence that you challenge. And you must state the facts that support each ground. If you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.
- 10. CAPITAL CASES: If you are under a sentence of death, you are entitled to the assistance of counsel and should request the appointment of counsel.



SBI# 575 73 / UNIT Shu.

DELAWARE CORRECTIONAL CENTER

1181 PADBOCK ROAD

SMYRNA, DELAWARE 19977

OPF, C, C, C, R&S) NESS

- LEGAL MATIL

DELAWARE CORRECTIONAL CENTER SUPPORT SERVICES OFFICE MEMORANDUM

TO:	Tyrone Lunn SBI#: _	375731
FROM:	Stacy Shane, Support Services Secretary	
RE:	6 Months Account Statement	PART AND ADDRESS OF THE PART A
DATE:	May 29, 2007	OCI 12 2007

Attached are copies of your inmate account statement for the months of North 1 200 to 1000.

The following indicates the average daily balances.

<u>MONTH</u>	AVERAGE DAILY BALANCE
y)(n)	W.14
Dec	13.24
Jan	51.88
_ Resp	15.0
March	7.16
april	.40
Average daily balances/	6 months: 17.62

Attachments CC: File

Jeanette & Hours

Individual Statement From November 2006 to December 2006

Date Printed: 5/29/2007

Page 1 of 2

SBI	Last Name	First Name	×	Suffix		
00375731 Guinn	Guinn	Tyrone			Beginning Month Balance:	\$1.23
Current Location: 19	tion: 19	Comments:	ts:		Ending Month Balance:	\$25.00

	lame																			The state of the s	· .)C		_5. * .	71 To		140			The second secon
	Source Name			RY 7/25/0									J. GUINN																	RY 7/25/0		
	Pay To		10/26/06	LAW LIBRARY 7/25/0			10/26/06		11/2/06	11/3/06	1/3/06	10/25/06			11/16/06	11/16/06	11/13/06	11/9/06			11/2/06	11/3/06	1/3/06	10/25/06		10/26/06	11/16/06	11/16/06	11/13/06	LAW LIBRARY 7/25/0		11/9/06
	MO# / CK#												08459267849-07714																			
	Trans #	339883	340557	340584	341777	341788	342264	342412	342699	342700	342707	342786	345202	345839	347982	347983	348005	348013	350909	355922	356368	356369	356372	356480	356741	356809	356815	356816	356834	356872	356880	356882
	Balance	\$0.51	\$0.51	\$0.51	\$0.51	\$0.51	\$0.12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	\$20.01	\$20.01	\$20.01	\$20.01	\$20.01	\$19.35	\$19.35	\$18.96	\$18.57	\$15.30	\$11.10	\$8.22	\$5.43	\$5.04	\$4.65	\$3.78	\$3.43	\$0.43	\$0.04
Non-Medical	Hold	\$0.00	(\$2.79)	(\$0.35)	(\$3.00)	(\$3.00)	\$0.00	(\$2.88)	(\$0.39)	(\$0.39)	(\$3.27)	(\$4.20)	\$0.00	\$0.00	(\$0.39)	(\$0.39)	(\$0.87)	(\$0.39)	\$0.00	(\$3.00)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Medical Hold	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Deposit or Withdrawal	Amount	(\$0.72)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.39)	(\$0.12)	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	(\$4.99)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.66)	\$0.00	(\$0.39)	(\$0.39)	(\$3.27)	(\$4.20)	(\$2.88)	(\$2.79)	(\$0.39)	(\$0.39)	(\$0.87)	(\$0.35)	(\$3.00)	(\$0.39)
1	Date	11/1/2006	11/1/2006	11/1/2006	11/2/2006	11/2/2006	11/3/2006	11/3/2006	11/3/2006	11/3/2006	11/3/2006	11/3/2006	11/13/2006	11/14/2006	11/17/2006	11/17/2006	11/17/2006	11/17/2006	11/28/2006	12/7/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006	12/8/2006
	Trans Type	Canteen	Supplies-MailPosta	Supplies-MailPosta	Legal	Legal	Supplies-MailPosta	Legal	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Visit	Canteen	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Canteen	Legal	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Legal	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Legal	Supplies-MailPosta

From November 2006 to December 2006 Individual Statement

Date Printed: 5/29/2007

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SBI	Last Name	First Name	MI Suffix	Juffix		
00375731 Guinn	Guinn	Tyrone		Beginning Mo	Beginning Month Balance:	\$1.23
Current Loc	Current Location: 19	Comments:	::	Ending Mo	Ending Month Balance:	\$25.00
		Deposit or Withdrawal	ž	Non-Medical		

Source Name

Pay To

MO# / Ck#

Trans# 357129

Balance \$0.00 \$25.00 \$25.00

Medical Hold

Amount

Trans Type

Legai

Mail

\$0.00 \$0.00

(\$0.04) \$25.00 \$0.00

12/21/2006 12/22/2006

Supplies-MailPosta

12/8/2006 Date

J GUINN

INDIGENT 12/12/06

08-459268041

362209

363031

(\$3.70)(\$2.96) \$0.00 Hold

\$25.00

Ending Month Balance:

Hold: \$0.00
Medical
Currently on
Amount (
Total

Total Amount Currently on Legal Hold: \$0.00

Total Amount Currently on Restitution Hold: \$0.00

Total Amount Currently on Other Hold: (\$3.48)

Individual Statement From January 2007 to April 2007

Date Printed: 5/29/2007

Page 1 of 3

SBI	Last Name	First Name MI	Suffix		
00375731 Guinn		Tyrone		Beginning Month Balance: \$25.00	
Current Location: 19	tion: 19	Comments:		Ending Month Balance: \$0.00	

Deposit or Withdrawal	_			Non-Medical					
Date Amount Medical Hold		Medical Hold		Hold	Balance	Trans #	MO# / CK#	Pay To	Source Name
1/2/2007 \$0.00 \$0.00	\$0.00			(\$0.39)	\$25.00	366509		12/18/06	
1/2/2007 \$50.00 \$0.00 \$	\$0.00		₩	\$0.00	\$75.00	366801	56273301183		P LOVETT
1/9/2007 (\$36.21) \$0.00 \$0	\$0.00		\$0	\$0.00	\$38.79	369800			
1/10/2007 \$0.00 \$0.00 (\$0	\$0.00	•	0\$)	(\$0.63)	\$38.79	371197		12/21/06	
1/10/2007 \$0.00 \$0.00 (\$0	\$0.00	`	0\$)	\$0.39)	\$38.79	371261		12/18/06	
1/11/2007 \$0.00 \$0.00 (\$0.39)	\$0.00		(\$0.	39)	\$38.79	371392		12/7/06	
1/16/2007 \$26.23 \$0.00 \$0.00	\$0.00		\$0.	00	\$65.02	372557		REFUND	
1/16/2007 \$0.00 \$0.00 (\$2.96)	\$0.00		(\$2.5	(96	\$65.02	373217		12/06	
1/16/2007 \$0.00 \$2.96	\$0.00		\$2.9	9	\$65.02	373218			
1/16/2007 \$0.00 \$0.00 (\$0.39)	\$0.00		(\$0.3	6	\$65.02	373589		12/15/06	
1/16/2007 \$0.00 \$0.00 (\$4.05)	\$0.00		(\$4.0	5)	\$65.02	373599		11/15/06	
1/18/2007 (\$2.96) \$0.00 \$0.00	\$0.00		\$0.00		\$62.06	374755			
1/18/2007 (\$2.96) \$0.00 \$0.00	\$0.00		\$0.0	0	\$59.10	374788		12/06	
1/18/2007 \$2.96 \$0.00 \$0.00	\$0.00		\$0.00		\$62.06	374789			
1/19/2007 \$0.00 \$0.00 (\$0.63)	\$0.00		(\$0.63	~	\$62.06	375213		11/28/06	
1/19/2007 \$0.00 \$0.00 (\$0.39)	\$0.00		(\$0.39	_	\$62.06	375216		11/29/06	
1/23/2007 (\$3.52) \$0.00 \$0.00	\$0.00		\$0.00		\$58.54	375600			
1/30/2007 (\$3.70) \$0.00 \$0.00	\$0.00		\$0.00		\$54.84	378955		INDIGENT 12/12/06	2/06
1/30/2007 (\$0.39) \$0.00 \$0.00	\$0.00		\$0.00		\$54.45	379064		12/18/06	
1/30/2007 (\$0.39) \$0.00 \$0.00	\$0.00		\$0.00		\$54.06	379361		12/15/06	
1/30/2007 (\$4.05) \$0.00 \$0.00	\$0.00		\$0.00		\$50.01	379371		11/15/06	
1/30/2007 (\$0.39) \$0.00 \$0.00	\$0.00		\$0.00		\$49.62	379467		12/18/06	
1/30/2007 (\$0.63) \$0.00 \$0.00	\$0.00		\$0.00		\$48.99	379504		11/28/06	
1/30/2007 (\$0.39) \$0.00 \$0.00	\$0.00		\$0.00		\$48.60	379507		11/29/06	
1/30/2007 (\$0.39) \$0.00 \$0.00	\$0.00		\$0.00		\$48.21	379606		12/7/06	
1/30/2007 (\$0.63) \$0.00 \$0.00	\$0.00		\$0.00		\$47.58	379648		12/21/06	
1/31/2007 \$25.00 \$0.00 \$0.00	\$0.00		\$0.00		\$72.58	380689	7604376330		J GUINN
2/1/2007 (\$12.00) \$0.00 \$0.00	\$0.00		\$0.00		\$60.58	381734		XXF	
2/2/2007 \$0.00 \$0.00 (\$10.00)	\$0.00	\$	(\$10.00	_	\$60.58	381800		JAN 2007	
2/2/2007 (\$10.00) \$0.00 \$0.00	\$0.00		\$0.00		\$50.58	382080		JAN 2007	
2/2/2007 \$0.00 \$0.00 \$0.00	\$0.00		\$0.00	_	\$50.58	382120		JAN 2007	

Individual Statement From January 2007 to April 2007

Date Printed: 5/29/2007

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SBI	Last Name	First Name MI	MI Suffix		
00375731 Guinn	Guinn	Tyrone	Bei	Beginning Month Balance:	\$25.00
Current Location: 19	iion: 19	Comments:		Ending Month Balance:	\$0.00

	Source Name		J GUINN														NNIN9 r											
	Pay To	JAN 2007			1/21/07	1/15/07	1/17/07	1/21/07	1/15/07	1/17/07		2/14/07	2/14/07	2/21/07	FEB 07	FEB 07		INDIGENT 3/5/07		2/14/07	2/14/07	2/21/07	INDIGENT 3/5/07	MARCH 07	FEB 07	MARCH 07	INDIGENT 4/2/07	3/29/07
	MO# / CK#		0490495311-00067														77604382467-23754											
	Trans #	382153	382258	382529	383338	384761	388580	388914	389237	389350	390287	392249	392397	392400	396977	398650	399505	401644	402090	404319	404463	404473	404696	410589	411260	411280	414001	419419
	Balance	\$50.58	\$75.58	\$9.81	\$9.81	\$9.81	\$9.81	\$9.18	\$8.79	\$8.40	\$0.03	\$0.03	\$0.03	\$0.03	\$0.03	\$0.00	\$25.00	\$25.00	\$8.34	\$7.47	\$7.08	\$6.69	\$2.99	\$2.99	\$0.02	\$0.00	\$0.00	\$0.00
Non-Modical	Hold	\$0.00	\$0.00	\$0.00	(\$0.63)	(\$0.39)	(\$0.39)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.87)	(\$0.39)	(\$0.39)	(\$3.00)	(\$2.97)	\$0.00	(\$3.70)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$3.00)	\$0.00	(\$2.98)	(\$2.46)	(\$0.39)
	Medical Hold	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Deposit or Withdrawal	Amount	\$0.00	\$25.00	(\$65.77)	\$0.00	\$0.00	\$0.00	(\$0.63)	(\$0.39)	(\$0.39)	(\$8.37)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.03)	\$25.00	\$0.00	(\$16.66)	(\$0.87)	(80.39)	(\$0.39)	(\$3.70)	\$0.00	(\$2.97)	(\$0.02)	\$0.00	\$0.00
-	Date	2/2/2007	2/5/2007	2/6/2007	2/6/2007	2/9/2007	2/16/2007	2/16/2007	2/16/2007	2/16/2007	2/20/2007	2/23/2007	2/23/2007	2/23/2007	3/6/2007	3/9/2007	3/13/2007	3/19/2007	3/20/2007	3/22/2007	3/22/2007	3/22/2007	3/22/2007	4/5/2007	4/5/2007	4/5/2007	4/12/2007	4/24/2007
	Trans Type	Legal	Visit	Canteen	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Canteen	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Legal	Legal	Visit	Supplies-MailPosta	Canteen	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Supplies-MailPosta	Legal	Legal	Legal	Supplies-MailPosta	Supplies-MailPosta

Source Name

Pay To

MO# / CK#

Trans #

Balance

Non-Medical Hold

Medical Hold

Deposit or Withdrawal Amount

Date

Trans Type

\$0.00

Ending Month Balance:

Individual Statement From January 2007 to April 2007

Date Printed: 5/29/2007

Page 3 of 3

	Beginning Month Balance: \$25.00	Ending Month Balance: \$0.00
Suffix		
M		Comments:
First Name	Tyrone	Сош
Last Name	Guinn	Surrent Location: 19
SBI	00375731	Current Loc

\$0.00
Hold:
Medical
9
Currently
Amount
Total

Total Amount Currently on Legal Hold: \$0.00

Total Amount Currently on Restitution Hold: \$0.00

Total Amount Currently on Other Hold: (\$3,48)